

Policy 0520-10

Student Discipline

INTRODUCTORY STATEMENT

Since appropriate behavior is essential in the establishment of a positive learning environment for students, each school in West Ada School District shall prepare a written statement of school rules and procedures regarding the maintenance of orderly student conduct. These procedures shall be clearly communicated to parents and students on an annual basis in the Student Handbook. A copy of the Elementary, Middle and High School Handbooks will be maintained on the districts website.

Established school procedures must be in compliance with this policy as established by West Ada School District board of trustees. It will be the responsibility of the principal to inform staff members regarding these regulations.

MAINTENANCE OF ORDERLY STUDENT CONDUCT

Students on any premises or at any school-sponsored activity, regardless of location, are expected to conduct themselves appropriately, including but not limited to: obey District officials, protect property, maintain order and decorum and avoid fighting. Disciplinary action for violation of this policy may involve up to and including suspension and/or expulsion.

CHEATING

Cheating in any form or manner is unacceptable. Every incident of cheating will be investigated by the teacher/designee and an administrator. The offending student will redo an assignment or assessment similar to the one on which they cheated. This assignment or assessment must be completed outside of instructional time. If the student is unwilling or unable to complete the assignment or assessment outside of instructional time, the student will receive a zero on the assignment or assessment. The offending student will also be assigned disciplinary consequences deemed appropriate by the administrator.

In addition, Concurrent Credit students are expected to adhere to the rules and regulations as set forth in the universities' Student Code of Conduct.

DUE PROCESS

The student has the right to due process in the event he/she is accused of violating a policy, regulation, or rule established by the school district, administration, or classroom teacher. (Refer to "Due Process for Students" as outlined in the Student Handbook.)

DISCIPLINE PROCESS

When the behavior of any pupil is unacceptable, the following procedure should be followed:

Tier One

- Step 1: Teacher conferences with student and documents student behavior.
- Step 2: Teacher documents student behaviors and determines appropriate intervention strategies. Teacher contacts parents and possibly the counselor and administration.

(Behavioral interventions may begin on Step 1 or Step 2)

Tier Two

- Step 3:
 1. Teacher refers student to the administration on a referral form and Parents are contacted. This indicates that the student has not responded to Tier One interventions in the classroom.
 2. Referrals will result in a conference with the student/parent and assignment of a consequence determined by the administration. A review of Tier One interventions and alternate strategies may be considered by the administration and the teacher.
 3. For severe deviant behavior, incorrigibility, or repeated violations, the student may be temporarily suspended from school for a period of one to five (1-5) days by the Principal or certified designee. An informal hearing will be afforded parents/guardian before suspending, according to Idaho Code 33-205. This may take place by a telephone or school conference.
 4. Continued referrals may result in progression to Tier Three

Tier Three

When the student does not respond to interventions, alternative placement or recommendation for expulsion will be considered. A Discipline Log will be maintained on the district referral form by each principal. Out-of-school suspensions will be reported to the Superintendent or Designee.

EXPULSION

In the instance that a pupil is allegedly habitually truant, incorrigible, continuously disruptive, or is in violation of the "Zero Tolerance" provisions:

1. The principal, building administrator, and/or superintendent have authority to temporarily suspend a pupil of the school district until a final determination is made by the board of trustees.
2. The principal may recommend student expulsion to the superintendent or designee. The superintendent or designee may recommend to the Board of Trustees a time period for pupil expulsion up to one year.
3. During the period of suspension from school, the District Discipline and Attendance Committee, made up of three panelists (generally administrators/counselors), who shall be the hearing panel. The Chief Academic Officer of Student Success shall appoint an administrator to act as the hearing officer. A recorder shall schedule an informal hearing to determine if the pupil should be readmitted or expelled. The student and his/her parents/guardian shall have the right to:
 1. Notice of the allegations against the student
 2. Notice of the time and place when the parent/guardian/student may appear to contest the denial of the right to attend
 3. A reasonable period of time to prepare
 4. Be represented by counsel
 5. Produce witnesses and submit evidence on the student's behalf
 6. Ask questions of the adult witnesses
4. The District Discipline and Attendance Committee may uphold the recommendation of the principal to expel the student or may recommend the conditional return of the student to school upon compliance with a specific plan. Such a plan may include deferment of the expulsion to allow readmission if returning the student is determined to be consistent with the safety of the pupil and the well being of the school and the district as a whole.
5. The recommendation for expulsion shall be referred to the board of trustees for approval, absent the parent/guardian/ or adult student appealing that decision to the board of trustees, an appeal must be made in writing within five (5) days of the committee's decision.

6. Expelled pupils will not be permitted to return to the home school or any other district school, or attend any district-sanctioned event until the end of the expulsion period, and after a re-entry plan has been signed by the parents/guardian and pupil and has been approved by the building administrator.

ZERO TOLERANCE ACTIONS

West Ada School District, adheres to a Zero Tolerance Policy for the following actions are prohibited on school property; which is defined as all buildings, facilities, property owned or leased by the district, school buses, and other school vehicles, and the location of any school sponsored activity or function including dual-enrollment settings, that include but are not limited to, Meridian Night School, Treasure Valley Math and Science, and the Dehryl Dennis Center.

Zero tolerance will be in effect while on the property of a public or private school or in those portions of any building, stadium or other structure on school grounds which were, at the time of the violation, being used for an activity sponsored by or through such a school, and/or while riding school provided transportation and/or participating in a school sponsored extracurricular or academic activity off school grounds.

WEAPONS

Students are forbidden to knowingly and/or voluntarily possess, handle, transmit, or use any instrument that can be used as a weapon or is a facsimile of a weapon. Any object which could be used to injure another person and which has no school-related purpose will be considered a weapon for purposes of this policy. The following are examples of instruments ordinarily or generally considered weapons: knives of all types, guns, lead pipes, chains, chuck-sticks, throwing stars, darts, metal knuckles, black-jacks, fireworks, explosives, mace or other chemicals. Possession, use, or attempt to use anything as a weapon will result in the student being referred to the District Discipline and Attendance Committee.

EXPLOSIVE DEVICES

Placing or detonating an explosive device, making verbal threats, including those made by telephone, electronically transmitted or written threats of explosive devices will be investigated by school administrators and the school resource officer. Any student involved in these threats will be referred to the District Discipline and Attendance Committee.

VERBAL OR WRITTEN THREATS

Verbal threats, including those made by telephone, electronically transmitted or written threats of any type against school or individual(s) will be investigated by school administrators and the school resource officer. Any student involved in these threats may be referred to the District Discipline and Attendance Committee.

ARSON

The malicious burning of or attempt to burn, self, another individual, or school property may result in referral to the District Discipline and Attendance Committee.

ALCOHOL/CONTROLLED SUBSTANCE DISTRIBUTION OR SALE

Students are forbidden to distribute or intend to distribute/sell drugs/alcohol or controlled substances, or any substance available with or without a prescription, that can be used in a manner detrimental to one's health and in excess of recommended dosage to other students or persons on or near district property during school hours or at a school sponsored event, including dual-enrolled programs as defined in the policy. It shall be presumed that a student in possession of these substances in amounts in excess of that for personal one-time use, or such amount of a controlled substance in conjunction with possession of any drug paraphernalia including but not limited to scales, pipes, and/or plastic bags has the intent to sell or deliver such controlled substances (See Drug and Alcohol Policy 502.5)

Students in violation of any zero tolerance policies may be recommended for expulsion and referred to the appropriate authorities. The duration of expulsion may be for the remainder of the school year; or, if occurring within the last twenty (20) days of a semester, the student may also be expelled for the following semester.

West Ada School District will comply with the Federal Gun-Free Schools Act as mandated, which requires the expulsion from school of any student who brings a firearm to school. The expulsion is for not less than one calendar year.

West Ada School District will not admit a student who has been expelled from another district until that student has completed the expulsion period. The timing should be based on written confirmation from the district that initially expelled the student.

Alcohol, Tobacco and Drugs

The Board of Trustees recognizes that drug, alcohol, and tobacco/nicotine use is detrimental to a state of well-being and undermines the aim of education, which is to enable individuals to develop to their full potential. The Board of Trustees also recognizes that student use of chemical substances is a serious problem of utmost

concern in our society. We support prevention, early intervention, and appropriate referral. Using the definitions outlined in this policy, our intent is to identify and document any behavior/appearance that would be considered problematic to the student's success. We will be involved in disciplinary action when needed.

The West Ada School District seeks to ensure the highest standards of learning in the classroom and recognizes that use of chemical substances—including alcohol, tobacco/nicotine/e-cigarettes, controlled substances and other substances as defined in this policy can create educational, economic and legal problems. As a district, we recognize the need for students to take an approved medication with a valid prescription from an Idaho licensed physician with the intent for it to be only used by those to whom it is prescribed. In all other cases and as defined in this policy, West Ada School District students are prohibited from possessing, using, consuming, displaying, promoting or selling any drugs, alcohol, tobacco products, tobacco-related devices, or imitation tobacco products at any time on school property or at any off-campus, school-sponsored event. It is also unlawful for any student to manufacture or deliver, deliver or possess with intent to manufacture or deliver, a controlled substance. Law enforcement works closely with school personnel and has authority to prosecute any student who breaks the law.

DISCIPLINARY ACTIONS AND INTERVENTIONS:

Students who violate this policy will be obligated to fulfill the requirements outlined on the West Ada School District's current policy violation form. The requirements for students who violate this policy will be reviewed annually by the district's drug education coordinator and drug prevention counselors. Changes to the violation requirements will only be made by a committee with three or more of the following personnel represented: district drug education coordinator, drug prevention counselor, secondary building administrator and Superintendent or Desginee.

STUDENT ACTIVITIES:

From the first day to the last day that a team meets with its coach or advisor, the use, possession, distribution, or sale of alcohol, drugs, tobacco or other controlled substances any time during all extracurricular activity seasons is forbidden. If a student commits a violation of this policy during the school day or at a school sponsored event or is documented or cited by law enforcement for use, possession, or distribution of alcohol, drugs, tobacco/nicotine, or other controlled substances during his/her activity season they will be obligate to fulfill the requirements outlined in the West Ada School District's current activities policy violation form.

DEFINITIONS:

- **Use:** Whenever a student has consumed, taken, or is under the influence of alcohol, drugs, or tobacco/e- cigarettes products on or near district property (see

definition), or is displaying behavior that creates a reasonable suspicion that he or she may be illegally under the influence of alcohol, drugs, or tobacco/nicotine use any time during school hours or at a school sponsored activity or event. This includes district provided transportation to or from school or a district sponsored activity.

- **Possession/securing or attempting to secure or purchase alcohol, drugs, or tobacco/nicotine:** To have alcohol, drugs, or tobacco/nicotine, e-cigarettes, drug paraphernalia, on your person or within an area of your control including but not limited to car, locker, books, and clothes on or near district property at any time or at a school sponsored activity, or during participation in a dual enrolled program.
- **Distribution and or sale:** To deliver, or intend to deliver, a controlled and/or illegal substance. The attempted transfer from one person to another of a controlled and/or illegal substance not intended or prescribed for the receiving person.
- **Knowingly Present:** Student was present or in attendance at a gathering of students during which one or more attendees (other than the student at issue) were involved in alcohol, drug, and/or tobacco/nicotine/e- cigarettes/use/ possession/distribution as defined in the definition and the student knew or reasonably should have known that such drug use was occurring.
- **Controlled Substance/Drug:** May include, but not limited to, any illegal substance, abused substance, any substance which is intended to alter mood, and any medication not prescribed by a physician for the student in possession of the medication and/or any substance that falls under the definitions found in State Statute 37-2701. Also included are substances that can be obtained with or without a prescription that, when used improperly or outside the recommended guidelines, can be detrimental to one's health. This may include, but is not limited to inhalants, over-the-counter medication, e-cigarettes, and other nicotine delivery devices, or performance enhancing substances.
- **Alcohol:** Any product containing alcohol as defined by any reasonable definition of the word.
- **Tobacco:** Any type of nicotine including, but not limited to, cigarettes, e-cigarettes, smokeless tobacco, nicotine products or paraphernalia.
- **Inhalant:** A medicinal preparation for inhaling material producing vapor. To include, but not limited to e- cigarette in any form or paraphernalia.
- **Marijuana:** All parts of the plant of the genus Cannabis, regardless of species, and whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. The West Ada School District does not allow any cannabis product (that is intended for physical consumption) or (regardless of intent), including CBD products, on school grounds or at school related events.
- **Activities:** Any school-sponsored event that takes place outside of the regular school day such as a school dance and/or an activity through which a school letter may be earned, i.e. all sports, band, choir, dance team, debate, drama, school clubs, sports, etc. Students who come under the disciplinary procedures for alcohol, drugs, or tobacco/nicotine/e-cigarettes are limited in practice time or participation in school activities outside of the regular class day according to grade level, category and number of offenses. If the event to be missed is counted as part of the academic grade, (band, choir, and debate) the student will be given an alternative activity to earn the grade.

- **Under the influence:** Any student judged to be under the influence of alcohol or other controlled substance (as defined above) by a school administrator or designee may be subjected to procedures to seek evaluation by law enforcement personnel. The law enforcement evaluation may result in the transfer of school custodial responsibility to that of law enforcement in accordance with Section 20-516, Idaho Code. Any student judged to be under the influence, regardless of any previous voluntary disclosure, will be deemed to be in violation of this policy and Section 37-2732, Idaho Code.
- **Voluntary Disclosure:** A student who voluntarily discloses use of alcohol, drugs, or tobacco/e-cigarettes, and/or other controlled substances (as defined in this policy) during group or individual counseling sessions, or during a drug/alcohol assessment appointment at the school or in school associated programs will not be subject to administrative or law enforcement procedures unless the student is in violation of school policy at the time of the disclosure.

Sneak / Senior Skip Days

For the protection and safety of students entrusted to the District's schools, and to meet the 990 hour school year and the 90 percent attendance rules mandated by the State, "sneak / senior skip days" are not permitted.

Absence that occur as a result of a student organized "sneak / senior skip day" will be treated as a truancy.

Reference: Code of Idaho 33-205, 33-1224, 33-512